

DECLARATORY
~~Improvement~~ Res. No. ~~1266~~ 1266-1970

For the Vacation of Buchanan Street from
the east property line of Smith Street to the
west property line of Winter Street, except the
Oliver Street, Bowser Avenue and Holton Avenue
intersections.

Resolution Adopted: April 9, 1970

Confirmed: April 9, 1970

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

June 18, 1970

DECLARATORY RESOLUTION NO. 1266-1970

For the Vacation of Buchanan Street from the east property line of Smith Street to the west property line of Winter Street, except the Oliver Street, Bowser Avenue and Holton Avenue intersections.

PLANS ORDERED:

ADOPTED: April 9, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION: WAIVER was signed

CONFIRMED: April 9, 1970

ASSESSMENT ROLL ORDERED: April 9, 1970

ASSESSMENT ROLL APPROVED: May 25, 1970

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., June 18, 1970 3:30 p. m.

NOTICE SERVED: June 5, 1970

ASSESSMENT ROLL CONFIRMED: June 18, 1970

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of Buchanan Street from the east property line of Smith Street to the west property line of Winter Street, except the Oliver Street, Bowser Avenue and Holton Avenue intersections.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Buchanan Street from the east property line of Smith Street to the west property line of Winter Street, except the Oliver Street, Bowser Avenue and Holton Avenue intersections.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 18, 19, 30 and 31, Charles Hanna's Addition; Lots 11 to 20 inclusive, Green's Sub. of Hanna's Out Lot #6, Plat "A"; Lot "G", Fruehauf Industrial Addition; Lots 61 to 76 inclusive, Crescent Addition; Lots 21 to 30 inclusive, Greene's Sub.; Lots 59 and 60, Green's Addition; and Lots 1 and 2, Miller's Addition. All additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

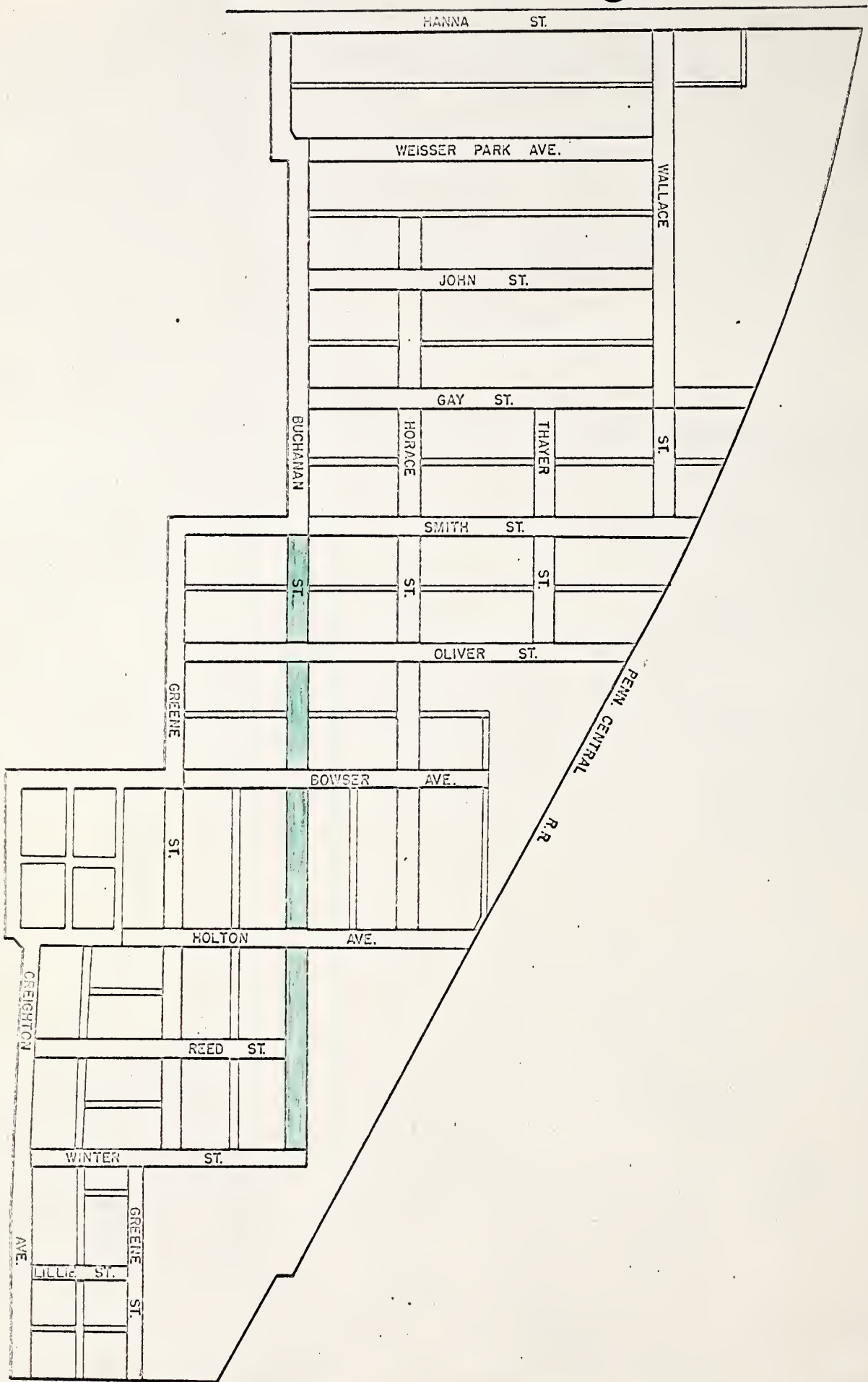
All Streets, lots and lands affected by the above described vacation are situated in the east one-half of Section Twelve, Township 30, north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 9 DAY OF April 19 70

Attest:

Secretary Board of Public Works.

Robert W. Dehman
Board of Public Works.



STREETS AND ALLEYS TO BE VACATED.

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O.62-70

Date April 9, 1970

To City Engineer

Subject Dec. 1266-70 Vacation Buchanan Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. Reso. & P. O. List

He
5/25/70

Signed _____

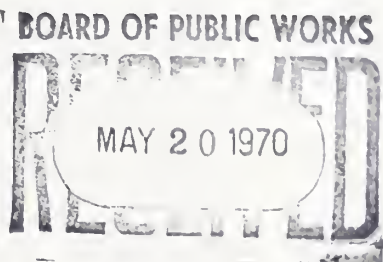
Reply:

May 20, 1970

Assessment Roll of Benefits and Damages completed and attached.

Donald E. Bodeker
Office Manager

DEB:lc
attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

ENGINEERING
DEPT. OF STREETS

DATE April 8, 1970

TO: Board of Public Works

SUBJECT: Board Order No. 62-1970

We are attaching Declaratory Resolution No. 1266-1970 which provides for the vacation of Buchanan Street from the east property line of Smith Street to the west property line of Winter Street, except the Oliver Street, Bowser Avenue and Holton Avenue intersections.

FE
4/9/70

This street vacation was requested in connection with the Hanna-Creighton redevelopment project. A public hearing will not be necessary because the Redevelopment Commission signed a waiver which is attached.

A drawing and property ownership list are also attached.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

1266

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

Buchanan Street, from the east property line of Smith Street to the west property line of Winter Street, except the Oliver Street, Bowser Avenue and Holton Avenue intersections.

which proposed vacation is set out in Declaratory Resolution No. 1266 - 1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 8TH day of April, 1970.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By Hassel Wolfe
Hassel Wolfe, Executive Director

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